

ESTTA Tracking number: **ESTTA689708**

Filing date: **08/14/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222682
Party	Defendant AWI Licensing Company
Correspondence Address	AMY M. FERNANDEZ 2500 COLUMBIA AVE LANCASTER, PA 17603-4117 trademarks@armstrong.com
Submission	Answer
Filer's Name	Lisa Peller London
Filer's e-mail	LLondon@belleskatz.com, trademarks@armstrong.com
Signature	/Lisa Peller London/
Date	08/14/2015
Attachments	ANSWER.pdf(13041 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

)	
CDC Distributors, Inc. ,)	
)	
Opposer,)	
)	Opposition No. 91222682
v.)	
)	
AWI Licensing Company,)	
)	
Applicant.)	
)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

AWI Licensing Company (“Applicant”) answers the numbered paragraphs of the Notice of Opposition against pending Application Serial No. 85497441 as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 and therefore denies them.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 and therefore denies them.
3. Applicant admits that the records of the U.S. Patent and Trademark Office confirm the allegations of Paragraph 3.
4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 and therefore denies them.
5. Admitted.
6. Admitted.
7. Admitted.
8. Denied.
9. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 and therefore denies them.

10. Denied.
11. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 and therefore denies them.
12. Denied.
13. Denied.
14. Denied.
15. Applicant denies that its adoption and use of the mark TIMELESS NATURALS requires the license or permission of Opposer.
16. Denied.
17. Denied.
18. The allegations of Paragraph 18 do not require either an admission or denial as they relate exclusively to Opposer's payment of the fee required to file this opposition.

AFFIRMATIVE DEFENSE

1. Applicant reserves all affirmative defenses under Rule 8(c) of the Federal Rules of Civil Procedure, the Lanham Act, and any other defenses at law or in equity, that may now exist or in the future be available based on discovery and further factual investigation in this case.

WHEREFORE, Opposer is not entitled to any of the relief it seeks and Applicant respectfully requests that the Notice of Opposition be dismissed with prejudice.

DATED: August 14, 2015

Respectfully submitted,

/Lisa Peller London/
Lisa Peller London
The Belles Group, P.C.
1608 Walnut Street, Suite 1302
Philadelphia, PA 19103
Attorney for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Applicant's Answer to the Notice of Opposition was served by first class mail, postage prepaid, on this 14th day of August 2015 on the following:

Kathryn E. Smith, Esq.
Wood, Herron & Evans LLP
441 Vine Street, 2700 Carew Tower
Cincinnati, OH 45202

/Lisa Peller London/